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RUEHRI/AMCONSUL RIO DE JANEIRO 8740  
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RHMFIUU/HOMELAND SECURITY CENTER WASHDC  
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UNCLAS SECTION 01 OF 04 SAO PAULO 000276

SENSITIVE  
SIPDIS

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NSC FOR TOMASULO  
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TAGS: [PHUM](#) [PGOV](#) [ELAB](#) [KCRM](#) [SMIG](#) [BR](#)  
SUBJECT: CONTACTS FEAR TRAFFICKING IN PERSONS ON THE RISE

REF: 07 SAO PAULO 958

SENSITIVE BUT UNCLASSIFIED - PLEASE PROTECT ACCORDINGLY

Summary  
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11. (SBU) Brazil's trafficking in persons (TIP) dilemma presents a growing challenge to the law enforcement community and NGOs assisting with TIP victims. Brazil is home to some cases of agricultural forced labor as well as urban textile sweatshops where Bolivian migrants work in precarious conditions. The country is also a source of Brazilian women trafficked internationally as sex workers. In order to combat this problem, Brazil needs clearer legislation to address trafficking, including the adoption of tougher sentences for criminals, as well as stronger measures to protect migrants who are unaware of their rights. Additionally, further training and oversight of Brazilian police charged with border protection is a necessary component of any strategy to avoid official complicity in trafficking. End Summary.

Sao Paulo and Trafficking  
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12. (SBU) Marcia Heloisa Mendonca Ruiz, the Sao Paulo State Civil Police Chief in charge of the state's law enforcement efforts to combat TIP, told Poloff that many Brazilians come to Sao Paulo with the dream of finding high-salary employment, no matter what type of employment it involves. Whereas TIP takes the form of forced labor working in cattle raising, sugarcane harvesting and other agricultural sectors in the country's north, or is manifested as sexual exploitation in the tourism cities of the northeast, Sao Paulo is home to several neighborhoods full of small textile and clothes-making shops that hire cheap labor employed in miserable working conditions (reftel). Ruiz complained that Brazilian legislation is weak in addressing TIP, law enforcement and the criminal courts do not really understand what constitutes a TIP crime or how to investigate it, and the judiciary processes TIP cases too slowly.

13. (SBU) Ruiz explained that organized crime is now involved in trafficking and detailed how several groups that she helped investigate employ networks of accountants, attorneys, and transportation companies such as truck or van drivers to get TIP victims to their final destination. Sao Paulo, with its two international airports, large port, and many national and state highways, is a logical base for many of these criminal organizations. Ruiz said that cases of internal TIP are growing annually. Her team rescued 30 victims and brought evidence forward for the eventual prosecution of 14 traffickers in three operations in 2006, while in 2007 the unit saved 100 victims in five cases (although only one trafficker was prosecuted). Aside from cases of internal trafficking, she added that many Brazilian women are trafficked to Europe, particularly Spain, to be sexually exploited. Recent press reports indicate that as many as 75,000 Brazilians may be in Europe employed in the sex industry. This sex trade exploitation is not only of Brazilians in Europe, but also has seen the rise of trafficking of non-Brazilians into Brazil for sexual exploitation. Paulo Illes, Coordinator of the Center for Support of the Migrant, said that his organization, which provides legal and employment assistance to some of the thousands of Bolivians living in Sao Paulo, has seen dozens of cases of Paraguayan and Peruvian girls trafficked into Brazil for the purpose of sexual exploitation in the country. Maria do Socorro da Silva, Executive Secretary of the NGO Marginalized Women's Service, highlighted a new phenomenon in which Korean-Brazilians are trafficking Korean women to Sao Paulo to have them used as prostitutes in neighborhoods dominated by Korean immigrants.

Bolivians Used in Forced Labor

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14. (SBU) Ruiz stated that an additional major challenge in combating TIP is that victims are not aware that they are working in forced labor conditions. She repeated what experts in the field note as one of the major difficulties in eradicating trafficking, helping Bolivian (as well as Peruvian and Paraguayan) migrants who are being used in forced labor in Sao Paulo's textile sweatshops. Ruiz said that she is particularly concerned about the number of Bolivian children who are born into or raised in sweatshops and think that their surroundings are not out of the ordinary because they do not know otherwise. In 2007, Ruiz and her team rescued 26 victims of forced labor in five cases leading to the imprisonment of five individuals. (Note: She said that these numbers, which are distinct from the trafficking figures cited in paragraph 3, have remained more or less constant since she began collecting data in 1999. She asserted that one possible reason for the lack of increases in the number of forced labor cases brought to trial and the number of victims rescued was because her team is not able to act on more leads due to budgetary and staff limitations. End Note.)

15. (SBU) Center for Support of the Migrant (CAMI) Coordinator Illes stated that Brazil has no policies to protect migrant workers, particularly Bolivians and Paraguayans living in Brazil. Further complicating the issue is that forced labor bosses are constantly moving their bases of operation to avoid having law enforcement shut down their textile sweatshops. He said that corrupt immigration officials who accept bribes to wave through busloads full of confused and naive Bolivians help augment trafficking. (Note: Illes estimated that at least 1500 Bolivians enter Brazil every month in search of work. End Note.) According to Illes, upon arrival, traffickers force these Bolivians into debt bondage to pay back "travel expenses."

...But Not According to Victims

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16. (SBU) Contacts stated that a major challenge in confronting forced labor is the fact that victims themselves do not view their work as a crime. Former Minister of Justice and Secretary of State for Human Rights Jose Gregori, who is currently serving as President of the Sao Paulo Municipal Commission for Human Rights, said that many Bolivians know what their employment will entail working in

sweatshops, but prefer this type of labor as opposed to no employment at all as would be the case in Bolivia. Civil Police Chief Ruiz said that women exploited for sex often defend those who trafficked them, particularly if they had the opportunity to "work" in Europe, which she said many victims consider a badge of honor. She stated that in Sao Paulo's textile sweatshops, even when they work 14-hour days with no food in horrible conditions, the Bolivians believe these settings are normal. Victims have a positive image of their traffickers and forced labor bosses because the victims believe it is due to the criminals that they are able to secure a job, regardless of the conditions, Illes added. (EMBASSY NOTE: GOB Justice, Labor, and Exterior Relations Ministry officials have been aware of the presence of Bolivian, Paraguayan, Peruvian, and Chinese immigrants in the sweatshops of Sao Paulo for some years. They admit, however, that they do not have accurate statistics on the numbers of people involved or their immigration status. The situation is further complicated by the fact that travelers from neighboring countries do not require tourist visas to enter Brazil, but do require special visas and permits to work in-country. Federal law enforcement and immigration officials note the difficulty they face when trying to differentiate between immigrants, especially Bolivians, who voluntarily travel to Brazil in search of employment, and those who are trafficked into the country under false pretenses and then fall into a classic debt bondage situation. While they recognize the need to assist immigrant TIP victims, they say they are faced with the dilemma of

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how to do so without attracting more illegal immigration based on the perception that Brazilian immigration and labor laws are lenient and its social assistance network (which includes TIP victim assistance programs) is not overly generous to non-Brazilians. END EMBASSY NOTE.)

#### Some Improvements but Challenges Remain

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17. (SBU) Ruiz noted that following Brazil's 2004 adoption of the Palermo Protocols (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Smuggling of Migrants by Land, Sea and Air), the GOB moved to recognize TIP as not only an issue involving individuals being trafficked with Brazil as the source country, but also acknowledged the existence and challenges of trafficking within Brazil. Marginalized Women's Service Executive Secretary Silva said that while the Brazilian Government has not done enough to combat TIP until recently, it is currently attempting to strengthen national programs aimed at educating potential victims. Silva added that government-sponsored public fora highlighting TIP and legislation recognizing internal TIP are new measures that could help in the fight against trafficking. She complained that sentences brought against traffickers are still too light, however, and that legislation needs to increase the time criminals serve in jail for collaborating in TIP. Silva noted that one trafficker's case was dismissed even though the judge admitted in her closing statement that she was aware that he had 71 pictures in his possession of his sexual activity with minors he had trafficked. According to Silva, the trafficker threatened to reveal to whom he had sold these children, apparently mid-level government officials in Brazil's northeast. Silva said that this was just an example of a phenomenon that occurs regularly and that the law needs to address these types of issues immediately.

#### Focus on Foz do Iguacu

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18. (SBU) During a recent visit to the city of Foz do Iguacu, in the heartland of the Tri-Border Area where the boundaries of Argentina, Brazil and Paraguay meet, Poloff discussed TIP with members of the Network for the Protection of Children and Adolescents in the Tri-Border Frontier, an association of NGOs, representatives of major local companies and government agencies. Edinalva Severo from the NGO Sentinel Program to Attend to Victims of Sexual Violence stated that a major challenge for the anti-TIP network is getting the police to understand comprehensively the meaning of trafficking and how to combat its existence. Valténir Lazzarini, Director of

the Our Home Foundation, which provides assistance to abandoned children including recovering trafficked youth, said that when the police do not investigate a crime as specifically a trafficking issue, the crime becomes a "source for impunity" because transgressors know they will get off on a less serious violation. He complained that Brazil has a shortage of law enforcement officials working to combat TIP.

¶9. (SBU) Ricardo Rachid de Oliveira, a federal judge who presides over cases involving international crimes in the Tri-Border Area, said that the number of TIP cases he reviews continues to grow. He recently reviewed an investigation in which police stopped a bus full of Bolivians entering Brazil to work in Sao Paulo's sweatshops being operated by a Paraguayan and a two Brazilians. He added that Brazilian women from the region are trafficked to Argentina and Spain where they are sexually exploited. According to Oliveira, the greatest difficulty in combating TIP is that those who are being trafficked do not recognize themselves as victims of a crime. Oliveira said that the fact that the police are not looking at certain TIP cases as such, and that Brazil's criminal courts are not well-prepared to handle TIP crimes, are additional challenges.

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Comment

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¶10. (SBU) While our contacts tell us that trafficking in persons and forced labor continue to be serious issues in Brazil, efforts to educate the public and to open up discussion on TIP, as well as the government's adoption of the Palermo Protocols, are all positive signs that efforts are underway to combat these crimes. Continued training of the law enforcement community is vital and educational programs in schools will also help, but even with these efforts, criminal organizations are likely to find ways around tougher anti-TIP barriers. Many Brazilian officials seem to be open to greater USG support to combat TIP, offering a unique opportunity for more bilateral cooperation. Pursuing these avenues at both the state and federal levels could potentially help ameliorate the situation. End Comment.

¶11. (U) This cable was coordinated with and cleared by Embassy Brasilia.

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